

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

COMMUNICATION DEVICES AND POWER PACKS THAT INCLUDE A LIGHT SOURCE

the application of which:

is attached hereto.  
☒ was filed in the United States Patent and Trademark Office on  
Aug. 24, 1998 and assigned Serial Number 09/138,920  
 and was amended on \_\_\_\_\_ (if applicable).  
 \_\_\_\_\_ was described and claimed in PCT International Application No. \_\_\_\_\_  
 filed on \_\_\_\_\_ and amended  
 under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign and/or provisional application(s) for patent or inventor's certificate listed below, or of any PCT International application(s) designating at least one country other than the United States of America listed below, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PROVISIONAL APPLICATION(S)**

Country	Application Number	Filing Date (Day/Month/Year)	Priority Claimed Under 35 USC § 119
			Yes ____ No ____
			Yes ____ No ____
			Yes ____ No ____

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below or any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATION(S)**

Application Serial Number	U.S. Filing Date (day/month/year)	Status (patented, pending or abandoned)

And I hereby appoint the following attorney(s) and/or agent(s), with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Charles W. Calkins (Reg. No. 31,814); John M. Harrington (Reg. No. 25,592); Charles Y. Lackey (Reg. No. 22,707); Richard T. Peterson (Reg. No. 35,320) and Michael D. Bednarek (Reg. No. 32,329).

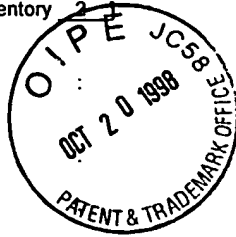
Please address all communications, and direct all telephone calls, regarding this application to:

Charles W. Calkins  
 Kilpatrick Stockton LLP  
 1001 W. Fourth Street  
 Winston-Salem, NC 27101  
 (336) 607-7300 (phone)  
 (336) 607-7500 (facsimile)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

[Total Number of Inventory

Inventor (full name)



AUTEN, Christopher L.

Inventor's Signature

*Christopher L. Auten*

Date

10/12/98

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Citizenship:

U.S.A.

Post Office Address

Same as above

Inventor (full name)

WENTZ, Kirk Steven

Inventor's Signature

*Kirk Steven Wentz*

Date

10/12/98

Residence

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Newton, NC 28658

Citizenship:

U.S.A.

Post Office Address

Same as above


**STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR**

Docket Number (Optional)

12657/177705

Applicant, Patentee, or Identifier: Christopher L. Auten et al.  
 Application or Patent No.: 09/138,920  
 Filed or Issued: August 24, 1998  
 Title: Communication Devices and Power Packs That Include a Light Source

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

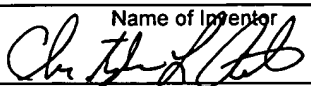
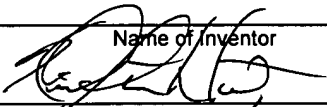
- ☒ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.

Name

Address

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

Christopher L. Auten	Kirk Steven Wentz	
Name of Inventor	Name of Inventor	Name of Inventor
		
Signature of Inventor	Signature of Inventor	Signature of Inventor
10/12/98	10/12/98	
Date	Date	Date